

April 6, 2021

**Via Electronic Filing**

Jocelyn G. Boyd, Esquire  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

**Re:** Public Service Commission review of South Carolina Code of Regulations 103-300, *et seq.*, and 103-400, *et seq.*  
Docket No. 2020-247-A

Dear Ms. Boyd,

Dominion Energy South Carolina, Inc. (“DESC” or “Company”) appreciates the opportunity to submit comments to the Public Service Commission of South Carolina (“Commission”) regarding Articles 3 and 4 of the Commission’s rules and regulations related to Electric and Gas Systems. Soliciting comments from the regulated entities will provide valuable insight and experiences to assist the Commission as it considers whether to update Articles 3 and 4. Below are the Company’s comments, and the Company intends to participate in the Commission’s workshop scheduled for April 16, 2021.

1. The Company’s first comment addresses the references made throughout Article 3 and 4 to offices that conduct certain customer relations or operations. Articles 3 and 4 regulations impose requirements that utilities implement at those offices. See, e.g., S.C. Reg. §§ 103-330(f), 103-339(f), 103-430(f), 103-439(f). For instance, Reg. 103-339(f) and Reg. 103-439(f) require the electric or gas utility to advise customers via a bill insert that the customer can obtain certain information by contacting the “the electric utility’s local office” or the “the gas utility’s local office.”

The Company no longer operates such local offices. This conflict between the regulation and the lack of an office can create confusion with customers. However, the Company recognizes that it may operate such office in the future and that other utilities may currently operate such offices. Thus, the Company proposes a simple definitional change to align that term with the practical reality that a utility, including the Company, may not operate any of the offices contemplated by Articles 3 and 4. The following definition can be inserted in Reg. §§ 103-302 and 103-402:

**103-302. Definitions.**

( ) Local office or business office. These terms mean that in the event an electrical utility operates a local office or business office set forth in this article then the electrical utility shall comply with the requirements of the section or subsection of the regulation addressing such local office or business office. In the event the utility does not operate a local office or business office the section or subsection of the regulation does not apply to the electrical utility.

**103-402. Definitions.**

( ) Local office or business office. These terms mean that in the event a gas utility operates a local office or business office set forth in this article then the gas utility shall comply with the requirements of the section or subsection of the regulation addressing such local office or business office. In the event the utility does not operate a local office or business office the section or subsection of the regulation does not apply to the gas utility.

This definitional revision will eliminate any confusion caused by the existence of regulations over non-existent offices.

2. The Company's second comment also proposes a definitional revision in order to conform the regulations to the preferences of the modern customer. In order to maintain the best methods of communications with its customers, the Company allows the customer to select the customer's preferred method to receive written communications and notifications from the Company. Many customers select the option to receive those by electronic means. Some customers prefer to receive those by US Mail.

The regulations, however, only use the term "mail" and do not allow the utility to provide the notice or communication by electronic means even if the customer has directed the utility to send such communications by electronic means. The Company frequently receives complaints from the electronic communication customers when those customers receive notices by US Mail.

The Company strives to provide excellent customer service to our customers and believes adhering to the communication preferences of the customers is critical to do so. The Company believes a definition change can better allow for meeting customer needs and will modernize the regulations to meet the communication preferences of customers. The following definition can be inserted:

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**Reg. 103-302. Definitions.**

( ) Mail. The term “mail” means a communication sent by US Mail or the notice method selected by the electrical utility customer and maintained in the customer’s records at the electrical utility.

**Reg. 103-402. Definitions.**

( ) Mail. The term “mail” means a communication sent by US Mail or the notice method selected by the gas utility customer and maintained in the customer’s records at the gas utility.

3. Likewise, the Company suggests another definitional revision to Articles 3 and 4. Currently, those articles do not contain a definition or guidance as to what qualifies as a complaint against the utility. Clarification would be helpful to the complainant and the utility to ensure consistent handling of such complaints. The Company suggests that the framework provided in Reg. 103-824 be included in both Article 3 and 4.

4. Article 3 and 4 have inconsistent regulations addressing customer deposits and deposit retention. As to customer deposits, Reg. 103-331 includes subsections (A)(5) and (B) that offer the utility the option to provide flexible deposit methods to non-residential customers experiencing financial distress. This flexibility can help the customer maintain cash reserves while still securing electric service. This flexibility does not exist in Reg. 103-431 for gas utility non-residential customers. The Company suggests including the language contained in Reg. 103-331(A)(5) and (B) in Reg. 103-431 to bring consistency to this issue.

Similarly, the respective regulation on deposit retention for electric customers and gas customers differ. The Company offers that the language in Reg. 103-336(B) be included in Reg. 103-436 to treat the customers the same regardless of nature of service.

5. Regs. 103-333 and 103-433 cover interest on deposits with subsection C of each section describing the notice requirements to electric and gas customers. The notice sections have not been updated since 1990 and limit the utilities to providing notice “to customer’s last known address.” As noted above, limiting communications to mail and in potential disregard to the customer’s preferred communication preferences is antiquated. The Company proposes to revise Reg. 103-333(C) and 103-433(C) to state:

**Reg. 103-333(C). Interest on Deposits.**

The deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date notice is sent to the customer’s last known address, by bill insert, or by the notice method selected by the electrical utility customer and maintained

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in the customer's records at the electrical utility that the deposit is no longer required.

**Reg. 103-433(C). Interest on Deposits.**

The deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date notice is sent to the customer's last known address, by bill insert, or by the notice method selected by the gas utility customer and maintained in the customer's records at the gas utility that the deposit is no longer required.

(new language noted by underlined font). This revision will modernize practice and provide the flexibility needed to ensure the customer receives the required notice.

6. Revisions to Reg. 103-310 and 103-410 would help save costs and recognize the trend to cloud-based electronic records retention. Those regulations require the utility to maintain records physically within the state. This codifies an antiquated method of document retention. The ease of access to cloud-based and other electronically stored documents allows the utility to access documents quickly and cost-effectively. Gone are the days of having to search a storage facility for the physical document in order to make the document available for examination by ORS. The costs savings would benefit the customer. Revising these sections as follows would meet the intent of the regulations—to allow the utility to obtain the record and make available to ORS—while bring the regulations into current data practices. Reg. 103-310 and 103-410 could state:

All records required by these rules or necessary for the administration thereof, shall be kept, at the discretion of the utility, either within the State or in an accessible cloud-based or other electronic records retention system ~~unless otherwise authorized by the Commission.~~ These records shall be available by the ORS at all reasonable hours.

(new language noted by underlined font and suggested deletions by strikethrough).

7. Regulation 103-336 and 103-436 address the retention of deposits. Reg. 103-336 consists of subparts a and b. The Company recommends that subpart b of Reg. 103-336 be added to Reg. 103-436.

8. With regard to Reg. 103-340.5, the Company recommends striking the second sentence because DESC does not require a customer to remit a lump sum payment to bring their equal payment plan current.

9. With regard to Reg. 103-412.2.7, the Company recommends increasing the project cost threshold to \$1,000,000.

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10. With regard to Reg. 103-415(A), the Company recommends increasing the property damage reporting threshold from \$5,000 to \$10,000 and revising 103-415(A)(b) to read: “(b) property damage in excess of \$10,000, in the gas system’s commercially reasonable estimation, including the expense to make repairs to its facility or property but excluding the gas system’s cost of lost gas existing the gas system’s lines to a customer’s meter.”

11. The Company also proposes revisions to Reg. 103-412(2.6) as follows:

**103-412. Data to be Filed with the Commission and Provided to the ORS.**

2.6. Pipeline Safety. All gas systems subject to pipeline safety regulation shall ~~file with the commission and~~ provide to the ORS those reports, policies and procedures required to be filed by the Federal Pipeline Safety Regulations: Minimum Safety Standards for the Transportation of Natural Gas and Other Gas, 49 C.F.R., as amended from time to time, ~~to include, but not limited to, the following:~~

- ~~a. Inspection and maintenance manual.~~
- ~~b. Emergency plan.~~
- ~~c. Welders. Listing of welders and proof of qualifications.~~

(new language noted by underlined font and suggested deletions by strikethrough). The basis for this revision is that the jurisdiction over pipeline safety in South Carolina rests solely with the ORS. The intent of this regulation is to notify ORS of new or ongoing pipeline projects so ORS can perform inspections should it desire. The Company and ORS currently meet quarterly to discuss new and ongoing projects.

The goal of the regulation can be accomplished through those quarterly meetings with ORS, and the Company would provide the information required by federal law to ORS. Subparts a-c can be removed because they are repetitive of the requirements of federal law, and, in the case of subpart c, can change frequently thus making reporting overly burdensome.

The Company appreciates consideration of its comments by the Commission and looks forward to the continued dialogue for possible revisions to Articles 3 and 4. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

s/ *Michael J. Anzelmo*

Michael J. Anzelmo  
Counsel for Dominion Energy South Carolina, Inc.

cc: K. Chad Burgess, Esquire and Matthew W. Gissendanner, Esquire